

United States Court of Appeals
FOR THE
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 18th day of September, two thousand twenty-four.

Present:

Gerard E. Lynch,
Beth Robinson,
Sarah A. L. Merriam,
Circuit Judges.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
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DATE FILED: Sep 18, 2024

Team Kennedy, American Values 2024, Jeffrey Rose,

Plaintiffs-Appellants,

v.

24-2385

Henry T. Berger, in his official capacity as the Co-Chair of the New York State Board of Elections, Peter S. Kosinski, in his official capacity as the Co-Chair of the New York State Board of Elections, Essma Bagnuola, in her official capacity as a Commissioner of the New York State Board of Elections, Anthony J. Cassale, in his official capacity as a Commissioner of the New York State Board of Elections, Kristen Zebrowski Stavisky, in her official capacity as Co-Executive Director of the New York State Board of Elections, Letitia James, in her official capacity as the Attorney General of the state of New York, Raymond J. Riley III, in his official capacity as Co-Executive Director of the New York State Board of Elections,

Defendants-Appellees.

Appellants move for an emergency injunction pending appeal. Having weighed the applicable factors, we conclude that an injunction pending appeal is not warranted. *See Agudath Isr. of Am. v. Cuomo*, 980 F.3d 222, 225-26 (2d Cir. 2020). Accordingly, upon due consideration, it is hereby ORDERED that the motion is DENIED.

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit

Catherine O'Hagan Wolfe

FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk of Court

Catherine O'Hagan Wolfe

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